

Declaration of Madelaine Andrews

Madelaine Andrews, under penalty of perjury, hereby deposes and says:

I am an 85-year old woman living alone in a rent controlled fourth floor walk up apartment in Manhattan

2. I have no friends or family in New York City who are able to assist me. have been a client of Adult Protective Services since around September 2006.

3. I suffer from multiple illnesses including heart disease and a heart murmur, diabetes, cataracts, and mouth ulcers. I cannot walk without assistance.

4. On March 31, 2007, I was rushed by ambulance to New York Presbyterian Hospital. I spent three nights in the intensive care unit for treatment of what the doctors told me was a mild heart attack.

5. I was recently diagnosed with a mass on my right lung. My doctor, Dr. Amy Friedman from Mount Sinai Visiting Doctors Program, thinks it may be cancer or tuberculosis but no tests have been done to confirm a diagnosis yet.

6. Dr. Friedman has told me that it is very important that I go into the hospital immediately so that I can have these tests.

7. My sole source of income is \$974 per month in Social Security payments. I also receive Medicare and Meals on Wheels.

8. A Medicare home attendant visits three days per week for three hours each time.

9. Due to my advanced age and health problems, I find it very difficult to walk and I cannot go up or down stairs unless someone is carrying me.

10. My use of my legs gradually deteriorated throughout 2005-2006 until finally in June 2006, I became unable to walk without assistance. Since June 2006, I have effectively been a prisoner in my own home because I have no ability to leave my apartment without assistance. I have left my apartment on only two occasions in the past ten months: in August 2006, when I was admitted to New York Presbyterian Hospital, and in March 2007, when I was again admitted to New York Presbyterian Hospital for what the doctors told me was a mild heart attack. Because I was taken to the hospital by an ambulance both times, the ambulance professionals carried me down the four flights of stairs.

1 I feel trapped and long to leave my apartment so that I can participate in the world outside my apartment. If I lived on a ground floor apartment, I think I would be able to use a walker to get around within my neighborhood and do some small errands. With physical therapy, I think I would be able to do some shopping and get the newspaper in the morning.

12 In September 2006, a woman named Marguerite Galente knocked on my door and identified herself as from New York City. She told me that she wanted to enroll me in the Medicaid program and that my doctor at Mount Sinai had referred me to her agency, Adult Protective Services, to provide me with assistance applying for Medicaid.

13. She asked me several questions about my current situation. She told me that I should be eligible for Medicaid and that she would let me know. She told me that she would take care of my Medicaid application.

14. During that visit, I asked Marguerite about whether anything could be done about my housing situation. I told her that I was unable to leave my apartment.

because I was not able to go down or up the stairs by myself. asked her whether it would be possible to move from my current apartment to an apartment on a lower floor that would allow me to leave my apartment.

15. She told me that she did not know anything about my housing situation but would make a note of it

16. Over the next several weeks, I left eight or ten messages on Marguerite's voicemail but she never returned my calls. Finally, I called Marguerite and followed the instructions on her voicemail to contact her supervisor if it was an emergency

17. When I phoned the supervisor and asked her what was happening with my case, she would not answer me. She told me that I would have to speak to Marguerite

18. She then told me that she could see Marguerite sitting at her desk and the supervisor transferred me back to Marguerite

19. When I spoke to Marguerite, she informed me that she was no longer handling my case. When I asked her what was happening with my Medicaid application and my housing situation, she told me that nothing had happened

20. When I asked her why nothing had happened, she told me that everything the City is involved in takes a long, long time. She told me to be patient and that it would eventually happen.

21. I told her about all the medical bills I had been receiving in the mail. I told her how worried I was about these medical bills. I do not know the exact amount but know that I have received medical bills over the past eight months that amount to several thousand dollars.

22 Marguerite told me her hands were tied, that she was no longer responsible, and that the person to speak to was Dora Morris, my new caseworker. It seemed like she wanted to get off the phone as quickly as possible

23 subsequently left several voicemail messages for Dora. She did not return any of my calls.

24 Several weeks later, I managed to speak to Dora on the phone. When I asked her what was happening with my case, she told me that she had just “come on” to my case and that she was in the process of getting all the information from my previous worker.

25 Around the end of January or beginning of February, Dora called me and told me that she was coming to visit and that she was going to bring a psychiatrist.

26 A couple of days after that, Dora and the psychiatrist visited

27 During that visit, Dora told me that she was going to look into the status of my Medicaid application. She also told me that she had made contact with my landlord regarding my housing situation. She told me that the landlord might be able to find me another apartment on a lower floor. She told me she would try to get me out of my apartment.

28 Dora also asked me about whether I was receiving Food Stamps and told me that I should be receiving Food Stamps.

29 The last time I spoke to Dora was two weeks ago. When I asked about her about what was happening with my case, she told me that she was pushing everything forward. When I asked her what that meant, she told me to be patient and that she would call me soon.

30. have not heard from her or anyone else from APS since then.

31. urgently require medical and dental care have mouth ulcers and open cuts in my mouth and gums This makes it very difficult for me to eat and chew certain foods. I use an oral anesthetic that eases the pain but as soon as I eat anything, the pain comes back and the cuts start to bleed

32. This makes it especially difficult for me to eat the food provided by Meals on Wheels because it is frequently chicken, pork chops, or other meats that are very difficult for me to chew. Occasionally, Meals on Wheels provides hamburgers which are less painful for me to eat

33. I have been by told by my doctors that I need to see a periodontist to treat my mouth ulcers and open cuts in my mouth. I have tried to find someone who can come to my apartment, but there does not seem to be a periodontist that will make home visits I do not know how to locate a periodontist who will make a home visit or how to arrange for me to be taken to a periodontist's office.

34. I also need to get new glasses. Early last year, I lost my reading glasses and am unable to read the newspapers or books without them. My home attendant has to sort through my mail and read the important letters to me because I cannot read the mail without my glasses.

35. have tried to get an optometrist to come to my apartment but have been told that the equipment is too heavy to lift up the stairs.

36. I think that I also need to see an ophthalmologist to receive treatment for my cataracts.

37. I do not know who to contact or how to arrange to see an ophthalmologist or an optometrist to get the treatment that I need.

38. Nobody from APS ever asked me about whether I needed assistance with locating medical care or any other assistance regarding any of my medical and dental problems.

39. Dr. Friedman has told me that I need more home care than the three days per week that I am currently receiving. I am not sure why I do not currently have this increased home care but I think it relates to my Medicaid application.

40. Nobody from APS has ever discussed the amount of home care that I receive with me.

41. Even though my doctor told me that I do not need to pay the medical bills I have received because they will be covered by Medicaid, I am very distressed when I receive the demand letters in the mail. Some of these letters are from lawyers threatening legal action if I do not pay the bills.

42. One of the letters threatens to report me to the credit reporting agencies if I do not pay the bill. I have always paid my bills on time and find this extremely upsetting. I do not want to have bad credit.

43. This is especially upsetting because I thought this was all going to be taken care of by Marguerite or Dora, who told me that they were going to help me with my Medicaid application. I do not understand why my Medicaid application has taken so long to be processed. I do not know what to do about all the medical bills and demand letters I continue to receive on an almost weekly basis.

44. I am desperate to move from this apartment to another residential situation in which I am able to go outside and participate in the world. My ability to carry out most activities of daily life is greatly reduced because I am unable to leave my apartment.

45. I need help applying for Medicaid and need someone to explain my Medicaid eligibility to me. I need help sorting out my medical bills. I need help finding appropriate medical and dental care in the community. I also urgently need help finding an alternative living situation that would allow me access to the outside world.

Dated: April 5, 2007
New York, New York


MADELAINE ANDREWS